

BOX #1

WARREN - ALQUIST ACT

Chapter 6 - Power Facility And Site Certification

CALIFORNIA ENERGY COMMISSION Systems Assessment and Facilities Siting Division

- SECTION 25500. - “. . . the commission shall have the exclusive power to certify all sites and related facilities in the state, whether a new site and related facility or a change or addition or an existing facility. The issuance of a certificate by the commission shall be in lieu of any permit, certificate, or similar document required by any state, local or regional agency, or federal agency to the extent permitted by federal law, for such use of the site and related facilities, and shall supersede any applicable statute, ordinance, or regulation of any state, local, or regional agency, or federal agency to the extent permitted by federal law.”
- SECTION 25506. – “The commission shall request the appropriate local, regional, state, and federal agencies to make comments and recommendations regarding the design, operation, and location of the facilities designated in the notice, in relation to environmental quality, public health and safety, and other factors on which they may have expertise.”
- SECTION 25525. – “The commission shall not certify any facility contained in the application when it finds pursuant to subdivision (d) of Section 25523, that the facility does not conform with any applicable state, local, or regional standards, ordinances, or laws, unless the commission determines that such facility is required for public convenience and necessity and that there are not more prudent and feasible means of achieving such public convenience and necessity. In making this determination, the commission shall consider the entire record of the proceeding, including, but not limited to, impacts of the facility on the environment, consumer benefits, and electric system reliability. In no event shall the commission make any finding in conflict with applicable federal law or regulation. . .”

BOX #2

GENERAL PLAN

Is the project a land use consistent with the policies of the adopted County General Plan and Community Plan?

- Sacramento County General Plan
- Rio Linda and Elverta Community Plan

BOX #3

ZONING REGULATIONS

Is the project an allowed use under the County's zone district/regulation adopted for the property?

- Subject property is designated M-2 (Heavy Industrial) Zone and M-2 (F) (Heavy Industrial/F Combining Zoning).
- F Combining Zone – the County has adopted policies and regulations (Sect. 235-10.) intended to comprise all land covered by rivers, creeks and streams and land subject to flooding.
- Conditional Use Permit requirement.
Criteria:
 - County "Findings" for the granting of a Use Permit.
 - Potential County "Condition(s) of Approval."
- Variance to height requirement of M-2 and M2 (F) Zone.
Criteria:
 - County "Findings" for the granting of a Variance.

BOX #4

LAND DIVISION REGULATIONS

Was the subject property created in accordance to the County's land Division regulations? Is the project in compliance with "Conditions of Approval" approved for the land division by the County?

- Legal lot/parcel of record according to State Subdivision Map Act and County Land Division Regulations and Requirements (e.g. Final Map, Lot Line Adjustment Map, Certificate of Compliance).
 - County Conditions of Approval and other Subdivision Development Requirements approve for the parcel.
- The proposed project is to be built across existing parcel lines.

BOX #5

OTHER COUNTY LAND USE REGULATIONS & REQUIREMENTS

(e.g. Development Agreement, Williamson Act Contract, Mello-Roos District, Habitat Conservation Plan, Other Easements, etc.)

Is the project a use allowed by the Zoning Agreement executed on the subject property?

- Zoning Agreement No. 95-0116
 - Rescission of Agreement?

BOX #6

COMMUNITY BENEFIT PACKAGE

A community benefit package is not a requirement of the California Energy Commission certification process. The community benefit package is negotiated between the applicant and jurisdiction by the applicant as a means of generating political and community support for their project. The community benefit package generally consists of items that are not already required by a federal, state, or local law, ordinance, regulation, requirement, etc. or a mitigation for a significant environmental impact required under the California Environmental Quality Act & Guidelines. The community benefit package consists of items that represent a "net gain" to the community.